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Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Reference: MB Docket 02-230

Attention: Susan Mort

In response to your request for opinion on Digital Copy Protection (MB Docket 02-230), I firmly believe that the end-user requires the right to copy or record Digital Broadcast Media without hindrance. It is very important for the end-user or viewer be allowed to copy/record digital broadcast signals to enable time shifting and archiving. As an example, I personally have had and used VCR's since Jan. 20, 1981. I use the VCR almost exclusively for time shifting viewing and archiving. On the West Coast, the CBS Sunday Morning News comes on at either 6 or 7:00AM on Sunday. I tape this program for later viewing that day. I also record historic news events for my archive and also record programs such as "Hometime" and "This Old House" on PBS for my archive on instruction video.

Any kind of copy protection flag will just be a challenge to a hacker to come up with a scheme to go around any kind of copy protection. The owner of digital broadcast content has the right to copyright protection, just as an author has for a book or other published material content. A book has no copy protection flag that would prevent someone photocopying certain pages from his or her book. Anybody that copies digital material for someone else and without the owners permission should be held accountable and liable for penalty.

In answer to your NPRM request:

1. Should the FCC mandate that consumer electronics devices recognize and give effect to the broadcast flag (or other content control mark)? The FCC should not mandate that consumers electronics recognize the broadcast flag.
2. What is the appropriate point in a consumer electronics device at which digital broadcast copy protection should begin? The appropriate point in a consumer electronics device which protection should begin, if any, should be the device that records the media. Some sort of addressing could be imprinted such as a MAC address would identify the copying or recording station. There should be no limit to viewing recorded media.
3. Would a digital broadcast copy protection system be effective in protecting digital broadcast content from improper redistribution? I don't believe any kind of copy protection would really prevent improper distribution. Anybody that really wants to copy and break the law will find a way. The way to stop it

would be to have a penalty(a very big one) for the seller of improper digital media.

4. Would digital broadcast copy protection work for digital broadcast stations carried on cable or direct broadcast satellite systems? In most cases, digital copy protection would work for digital broadcast stations carried on cable or direct broadcast satellite systems. Cable and direct broadcast satellites would simply carry all data it received from the broadcast station. However errors can occur. Just a few weeks ago, there was an east coast cable company that was somehow sending out transmissions that prevented a certain manufacture's DVD recorder to record any signal. The signal was not meant to be copy protected but it was for the users of a certain product.
5. Should the FCC mandate the use of specific copy protection technologies (such as DTCP/5C or HDCP) in consumer electronics devices that are designed to respond to the broadcast flag? No, the FCC should not mandate the use of any copy protection technology. Any technology should be limited to an addressing scheme that define which recorder copied the digital content.
6. Will requirements to protect digital outputs interfere with the ability to send DTV content across secure digital networks? Yes, I have a digital network in my home and would wish to have the ability to send digital broadcast content from one PC to another PC without any problems. The broadcast flag would stop this ability.
7. What is the impact of digital broadcast copy protection mechanisms on existing and future electronic equipment? The impact of copy protection schemes on present and future electronic equipment is that some equipment will be become obsolete and new equipment will be more expensive to build when it requires copy protection mechanisms. Anybody that really wants to go around the copy protection will find a way. There will always be law-breakers, but most of us respect the owner's copyright privileges.
8. Will digital broadcast copy protection have an effect on the development of new consumer technologies? Digital copy protection will have a big effect on the development of new DTV equipment. And it already has had an effect. Manufacturers are uncertain as to the future requirements for digital copy protection schemes, so they just wait with their latest technology equipment such as HDTV DVD recorders.

In summary, I suggest there be no means to prevent recording of digital format signals. Any copyright protection schemes should be limited to some sort signal that would be recorded along with the digital signal that could be used to trace back to a specific recorder that made the copy. This could be used to monitor copies sold to the public.

Sincerely,

Gary Lindgren

